

# T<sup>3</sup>: Trustee Training Tips

Spring 2000

Kentucky Department for Libraries & Archives

Number 1 Volume 1

## WELCOME TO TRUSTEESHIP AND T<sup>3</sup>

Congratulations, you've been appointed to your local public library board of trustees. Now what? If you're like most trustees, a current board member approached you about serving and promised it wouldn't involve too much of your time and energies—say, an hour a month with a group of really nice people who never disagree.

Sorry to disillusion you right away, but serving on the library board is serious business, although that doesn't mean it can't be rewarding, stimulating, and even fun. It does mean that each and every trustee should approach the job as a job, for that is what it is.

Public library trustees are appointed to represent users and taxpayers in setting policies and establishing priorities in long-range planning. They are not appointed to "assist" in the day-to-day running of the library. They should be active advocates for whatever is needed to better the library—state funding, local funding, partnerships, public relations, etc.

The board should be made up of a diverse cross-section of the county it serves, not just its users. A good board will have a variety by age, race, gender, social background, and geographic distribution, but it will not lock itself into selection by artificial and inflexible rules that hinder its ability to find trustees that can bring a needed specific talent to the table.

No library board should ever pride itself on the number of unanimous votes recorded during a year or by how fast its meetings are concluded. Both facts might point to a failure of the board to adequately discuss issues on a regular basis. Active debate of issues is the sign of a healthy board and is the reason five separate individuals sit on the board.

The Kentucky Department for Libraries and Archives (KDLA) constantly seeks to help you in your role as a public library trustee. To that end your regional librarian provides a *New Trustee Orientation* session, sponsors workshops for trustees, sends each trustee a bi-monthly newsletter, and attends many of your board meetings to advise on specific issues. KDLA also offers statewide Trustee Institutes each year, publishes the *Kentucky Public Library Trustee Manual*, and is now embarking on a new quarterly publication, *Trustee Training Tips*. We really are here to help you; please use us.

## LEGAL ISSUES FOR BOARDS

One big surprise for most trustees upon starting their career as a board member is the number of laws and regulations they are expected to follow. Fortunately, the Trustee Manual highlights the most common and essential statutes and offers advice on how both a board and an individual trustee may lessen his/her liability. Here are a few more:

- **Unanimous Approval**

An auditor correctly pointed out that a motion should state whether it passed unanimously or not. If not, each member's vote should be individually recorded.

- **Swearing an Oath**

Newly appointed trustees are required to take an Oath of Office before starting to serve on the board. This means a trustee should not vote or be counted toward a quorum until sworn in. Any state or federal judge, county judge/executive, clerk of a court, justice of the peace, or notary public can administer the oath.

- **4 Strikes and You're Out!**

"After absence of a trustee from four (4) regular monthly meetings of the board during any one (1) year of the trustee's term, the trustee shall be considered to have automatically resigned from the board." KRS 173.040, .340, .490, .730.

The trustee's term is the actual dates of the term, *not* the July-June fiscal year. If your term begins September 15, that is the date you need to be counting from.

- **Regular vs Special Meetings**

According to a letter written to a library board by Jim Nelson, State Librarian and Commissioner, "There is no case law or attorney general's opinion which would indicate whether a rescheduled monthly

meeting constitutes a *regular monthly meeting*. However, since this agency intended a rescheduled monthly meeting to be considered a *regular monthly meeting* when the statute was written, we have consistently advised boards to view them as such. It is, of course, the local library's place to determine whether a trustee has missed four meetings and we will not attempt to make that determination for them."

The minutes should state each time whether the meeting was a regular or special meeting.

- **Filling Unexpired Terms**

Trustees sometime resign from the board during their term. In such cases the library board goes through the same procedure to fill this vacancy as any other. The newly appointed trustee is allowed to finish the unexpired term and then be eligible to be appointed for two (2) whole terms of four (4) years each.

When determining the expiration date of such a term for the new appointee, the actual date it would have been completed is used. For example, if one is appointed on March 6<sup>th</sup> to finish out a term that would have expired on June 30<sup>th</sup>, the term expires on June 30<sup>th</sup>.)

- **Where Trustees Come From**

Finding board members is more than just identifying a willing person. The method by which one is appointed to the library board varies according to which statute the library was established under. In a nutshell, for taxing districts the sitting board nominates two names for every vacancy and non-taxing districts rely on an appointing authority (county judge-executive or mayor) to select their trustees.

## BOARD DEVELOPMENT

Still feel overwhelmed at times even though you've been on the board several years? Worry about your personal liability from time to time? You're probably not alone with your concerns. But what do you do about it? The best answer is a cliché – it's never too late to learn. And there are quite a few options available to you.

Join the Kentucky Library Association (KLA) and the Kentucky Library Trustee Association (KLTA). Your library has funds budgeted for continuing education that applies not only to staff, but to board members as well. Use these funds to go to the annual conferences of the above associations. KLA meets in October and KLTA meets at the same time as the Public Library Section, usually in March or April. (This year KLTA meets on April 6.) Most meetings are in Louisville or Lexington, and program agendas and registration packets are sent out well in advance to members. Not only will the conferences provide an array of excellent topics to help meet your training needs, but you will also receive newsletters and journals as members.

Attend one of the annual Trustee Institutes offered by KDLA each year. The 2000 dates are July 17, 18, 20, 21. This one-day workshop is actually one evening and includes dinner. Sites are scattered across the state for your convenience.

Periodically KDLA also sponsors other workshops, primarily for library staff, but occasionally on topics of interest to trustees. Two such opportunities this year are the *Building/Construction Workshop* in Lexington on August 7<sup>th</sup> and *How to Write a Marketing Plan Workshop* offered on Sept 6<sup>th</sup> in Lexington and again on September 7<sup>th</sup> in Bowling Green.

A little closer to home are workshops for trustees that are offered through KDLA's regional offices. Most offer one each year and all are open to your suggestions for future topics and training needs.

Last, but not least, is the opportunity to have a short Board Development segment during your regular monthly board meetings. Your local regional librarian can provide these for you if you are willing to provide 10-15 minutes of meeting time for training. Other sources are always available as well. Ask "outside sources" to make presentations that will help your board (and you) understand better how to do the job. Consider inviting your insurance carrier to talk about Errors and Omissions Insurance or your attorney to talk about risk management or staff members to talk about their programs.

Do a self-evaluation at least once a year to identify areas in which your board needs more training. Then get the training!

***T<sup>3</sup>:Trustee Training Tips*** is published quarterly by the Field Services Division of the Kentucky Department for Libraries and Archives. Correspondence should be addressed to the editor, Nelda Moore, at Lincoln Trail Regional Office, 201 West Dixie Avenue, Elizabethtown 42701-1533. Phone 270.766.5222; Fax 270.766.5223; e-mail: nmoore@kdla.net.

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## LIBRARY LETTERS

*Dear Marian Librarian,*

*After reading about our potential liability, our board invited our insurance agent to come talk to us. We all agreed after she left that we didn't feel comfortable with his grasp of the subject. What should we do now?*

*-- Troubled Trustee*

Dear Troubled,

We suspect you are not alone. Just as attorneys and doctors have areas of specialty, so do insurance agents. It is important to determine if your agent has expertise in D&O—and don't be surprised if she doesn't. Many agents lack significant knowledge in this area since they don't deal with it often. If yours doesn't, ask her to bring in a representative from one of their D&O insurance carriers with the expertise to talk to your board.

## HOW MUCH DO YOU KNOW?

The following quiz will let you test your knowledge on the topics covered in this publication. The answers are under "Publications" on KDLA's web page <[www.kdla.net](http://www.kdla.net)>.

1. What does a Directors and Officers Liability policy cover?
2. Are we liable for something that happens at a meeting in our community room after hours? Lots of groups, from AA to AARP, use our room at night.
3. I never thought about nice organizations like the public library being sued. What are the usual reasons they are?
4. Who can tell us if we need D&O coverage?
5. Now I'm scared. How can I lessen my potential liability?

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**ADDRESS CORRECTION REQUESTED**  
**PLEASE FORWARD**

### Answers to T3 Quiz:

1. The two membership organizations are KLA (Kentucky Library Association) and KLTA (Kentucky Library Trustee Association).
2. Each trustee can miss three (3) board meetings in his/her term year. With the fourth miss, that trustee has automatically resigned.
3. The 2000 Trustee Institutes are July 17<sup>th</sup> at Lake Barkley State Park, July 18<sup>th</sup> at the Cave City Convention Center, July 20<sup>th</sup> at KDLA, and July 21<sup>st</sup> at Natural Bridge State Park.
4. Ask your regional librarian to provide small segments of training, usually called Board Development Topics, at some or most of your regular board meetings. You may wish to give him/her a list of topics you feel you need to know more about or leave it up to him/her to provide whatever he/she thinks you might need.
5. Any of these:
  - New Trustee Orientation
  - Regional workshops for trustees
  - Bi-monthly newsletter (Kentucky Public Library Newsletter)
  - Board Development Topics at your board meetings
  - Trustee Institute
  - Appropriate statewide workshops
  - Kentucky Public Library Trustee Manual
  - Trustee Training Tips
  - KLA conference
  - KLA publications
  - KLTA conference
  - KLTA publications(Not included in Trustee Training Tips are local board orientation, mentoring by experienced trustees, orientation provided by your library director.)